

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMPEX CORPORATION,

Plaintiff,

v.

EASTMAN KODAK COMPANY,
ALTEK CORPORATION, and
CHINON INDUSTRIES, INC.,

Defendants.

C.A. No. 04-1373 (KAJ)

**APPLICATION FOR AN ORDER REQUIRING DEPOSITIONS
OF EMPLOYEES OF EASTMAN KODAK COMPANY
AT THE AMERICAN CONSULATE GENERAL OSAKA-KOBE, JAPAN**

Plaintiff Ampex Corporation (“Plaintiff”), by counsel, hereby applies to the District Court Judge for issuance of an Order directed to any Consul or Vice Consul of the United States of America at Osaka-Kobe, Japan, requiring the depositions of Messrs. Hideki Akiyama, Hiroshi Yamagata, Sumito Yoshikawa, Manabu Kiri, Takeshi Domen, and Masaki Izumi, commencing on or about January 17, 2006 and terminating on or about January 20, 2006, at the American Consulate General Osaka-Kobe, in Osaka, Japan.

Messrs. Hideki Akiyama, Hiroshi Yamagata, Sumito Yoshikawa, Manabu Kiri, Takeshi Domen, and Masaki Izumi are employees of Eastman Kodak Company (“Kodak”). These witnesses are being produced voluntarily in response to Plaintiff’s individual Notices of Deposition. Pursuant to Consulate rules, a court order/commission, among other things, identifying the deponents is required before a deposition may be scheduled (Copy attached hereto as Exhibit A). Accordingly, Plaintiff hereby respectfully submits the following proposed Order. Japan also requires the non-Japanese citizens participating in the depositions to obtain

special visas for entry into Japan, and requires presentation of a copy of the court order as part of the visa application process.

For the reasons set forth above, Plaintiff respectfully requests that the District Court Judge enter the attached Order. Plaintiff will then obtain a certified copy of the order as soon as possible so that it may be forwarded to the American Consulate General Osaka-Kobe and used to obtain visas at the Japanese Embassy and various Japanese consulates in the United States. In light of the scheduling constraints imposed by the Consulate's rules, and the turnaround time for the visa application process, Plaintiff respectfully requests that entry of the Order be expedited.

MORRIS, NICHOLS, ARSHT & TUNNELL

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Dated: December 8, 2005
496836

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CERTIFICATE OF SERVICE

I, Julia Heaney, hereby certify that on December 8, 2005, I caused to be electronically filed the foregoing *Application For An Order Requiring Depositions Of Employees Of Eastman Kodak Company At The American Consulate General Osaka-Kobe, Japan* with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Paul M. Lukoff, Esquire
David E. Brand, Esquire
Prickett, Jones & Elliott, P.A.

and that I caused copies to be served upon the following in the manner indicated:

BY HAND

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